

REMARKS

Claims 1 – 8 are pending and under consideration.

In the Office Action, Claims 1 – 8 were rejected.

In this Amendment, Claims 1, 2, 5, and 6 – 8 are amended. No new matter was introduced as a result of this amendment.

Accordingly, Claims 1 – 8 are at issue.

I. Objection to the Claims

The Examiner objected to Claim 1 because of informalities. Applicant has appropriately amended Claim 1 as suggested by the Examiner.

II. 35 U.S.C. § 102 Anticipation Rejection of Claims

Claims 1, 7 and 8 are rejected under 35 U.S.C. § 102(e) as being anticipated by Tracton (U.S. Patent No.: 6,470,378). Although Applicant respectfully traverses this rejection, Claim 1 has been amended to clarify the invention and remove any ambiguities that may have been the basis for this rejection.

Claim 1 is directed to an information processing system for distributing content to another device via a network. The information processing system comprises first receiving unit, a reading unit, a format converting unit, and distributing unit.

As amended, Claim 1 recites that the first receiving unit is configured for receiving from another device, via the network, application information that identifies an application via which the content can be accessed, content identifying information and format identifying information. Thus, the first receiving unit of the information processing system is configured to receive content accessing information, content identifying information, and format identifying information, from another device for distributing content, which represent characteristics of the content.

In contrast, Tracton teaches that the client (another device) creates a characteristics profile that include its processing ability and network configuration, instead of characteristics of content to be exchanged between the contacted server (information processing system) and the contacting client (See column 5, lines 30 -37).

Accordingly, Applicant respectfully submits that Tracton does not anticipate Applicants' invention as set forth in Claim 1 as presently amended because the cited reference fails to teach every element and limitation of the claims at issue. In particular, the '378 patent fails to disclose a first receiving unit configured for receiving from another device, via the

network, application information that identifies an application via which the content can be accessed, content identifying information and format identifying information, as set forth in Claim 1 as presently amended. Accordingly, because the '378 patent fails to teach each and every element and limitation of Applicant' amended independent Claim 1, the cited reference does not anticipate the invention as claimed.

Thus, Claim 1 is allowable over Tracton, as are dependent Claims 2 – 6 for at least the same reasons.

Claims 7 and 8 recite the same distinguishing limitation as that of Claim 1. Thus, Claims 7 and 8 are also allowable over Tracton.

Accordingly, Applicant respectfully requests that the 35 U.S.C. § 102 (e) rejection of claims be withdrawn.

III. 35 U.S.C. § 103 Obviousness Rejection of Claims

Claims 1, 7 and 8 are rejected under 35 U.S.C. § 102(e) as being unpatentable over Tracton (U.S. Patent No.: 6,470,378) in view of Shan-Nazaroff (U.S. 6,157,377).

Claims 2, 3, 5, and 6 are dependent on allowable Claim 1, shown above to be allowable over Tracton. Thus, Claim 1 is allowable over Tracton and Shan-Nazaroff, taken singly or in combination with each other, as are dependent Claims 2, 3, 5, and 6 for at least the same reasons.

Accordingly, Applicant respectfully requests that the 35 U.S.C. § 103(a) rejection of claims be withdrawn.

IV. Conclusion

In view of the above amendments and remarks, Applicant submits that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

Dated: 7-11-06

By: /David R. Metzger/
David R. Metzger
Registration No.: 32,919
SONNENSCHN NATH & ROSENTHAL LLP
P.O. Box 061080
Wacker Drive Station, Sears Tower
Chicago, Illinois 60606-1080
(312) 876-8000